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STRONG, GEORGIA vs. ADT SECURITY SERVICES
INC (FKA BRINKS HO

9/15/2011

Cause: 201144762 CDI: 7 Court: 281

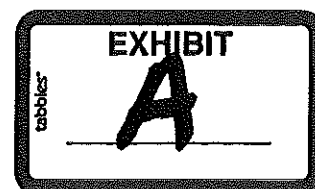
SUMMARY

CASE DETAILS

File Date	7/28/2011
Case (Cause) Location	Civil Intake 1st Floor
Case (Cause) Status	Active - Civil
Case (Cause) Type	DAMAGES (OTH)
Next/Last Setting Date	N/A

COURT DETAILS

Court	281 st
Address	201 CAROLINE (Floor: 14) HOUSTON, TX 77002 Phone: 7133686430
JudgeName	SYLVIA A. MATTHEWS
Court Type	Civil



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STRONG, GEORGIA vs. ADT SECURITY SERVICES
INC (FKA BRINKS HO

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JUDGMENT/EVENTS

Date	Description	Order Signed	Post Jdgm	Pgs	Attorney
9/12/2011	ANSWER ORIGINAL PETITION			0	HAWKINS, JESSICA ANN
9/12/2011	ANSWER ORIGINAL PETITION			0	HAWKINS, JESSICA ANN
9/12/2011	ANSWER ORIGINAL PETITION			0	HAWKINS, JESSICA ANN
7/28/2011	ORIGINAL PETITION			0	TREVINO, LU ANN

RECEIPT NUMBER 422039 0.00
TRACKING NUMBER 72686944 MTA

CAUSE NUMBER 201144762

PLAINTIFF: STRONG, GEORGIA

VS.

DEFENDANT: ADT SECURITY SERVICES INC (FKA BRINKS HOME SECURIT

THE STATE OF TEXAS
County of Harris

THIS PROCESS WAS DELIVERED
AT 9:30 O'CLOCK A.M.
THIS CORPORATE DAY OF JULY, 2011
CONSTABLE, PRECINCT 1
DALLAS COUNTY, TEXAS

TO: NCO FINANCIAL SYSTEMS INC (A PENNSYLVANIA CORPORATION) BY SERVING ITS
REGISTERED AGENT C T CORPORATION SYSTEM
350 N ST PAUL STREET STE 2900 DALLAS TX 75201

BY

DEPUTY

Attached is a copy of ORIGINAL PETITION

This instrument was filed on the 28th day of July, 2011, in the
above cited cause number and court. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED; you may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after you were served this citation and petition, a default judgment may be taken against you.

TO OFFICER SERVING:

This Citation was issued under my hand and seal of said Court, at Houston, Texas, this 29th day of July, 2011.

Issued at request of:
TREVINO, LU ANN
13201 NORTHWEST FREEWAY, SUITE 800
HOUSTON, TX 77040
Tel: (713) 341-7550
Bar Number: 24008180



Chris Daniel
CHRIS DANIEL, District Clerk
Harris County, Texas
201 Caroline, Houston, Texas 77002
P.O. Box 4651, Houston, Texas 77210

Generated by: CUERO, NELSON 7MM/U1K/9067541

OFFICER/AUTHORIZED PERSON RETURN

I received this citation on the _____ day of _____, 20____, at _____ o'clock ____ M., endorsed
the date of delivery thereon, and executed it at _____

(street address)

(city)

in _____ County, Texas on the _____ day of _____, 20____, at _____ o'clock ____ M.,
by delivering to _____

(the defendant corporation named in citation)

_____, in person, whose name is _____,
(registered agent, president, or vice-president)

a true copy of this citation, with a copy of the _____ Petition attached,
(description of petition, e.g., "Plaintiff's Original")

and with accompanying copies of _____
(additional documents, if any, delivered with the petition)

I certify that the facts stated in this return are true by my signature below on the _____ day of _____, 20____.

FEE: \$ _____

By: _____

(signature of officer)

Printed Name: _____

As Deputy for: _____

(printed name & title of sheriff or constable)

Affiant Other Than Officer

On this day, _____, known to me to be the person whose signature
appears on the foregoing return, personally appeared. After being by me duly sworn, he/she stated that this citation was
executed by him/her in the exact manner recited on the return.

SWORN TO AND SUBSCRIBED BEFORE ME, on this _____ day of _____, 20____

Notary Public



2011-44762 / Court: 281

CAUSE NO: _____

Filed 11 July 28 P2:55
Chris Daniel - District Clerk
Harris County
ED101J016422476
By: Furehilla McGee

GEORGIA STRONG

VS.

ADT SECURITY SERVICES, INC F/K/A
BRINKS HOME SECURITY AND NCO
FINANCIAL SYSTEMS, INC.

§ IN THE DISTRICT COURT
§
§
§ _____ JUDICIAL DISTRICT
§
§
§ OF HARRIS COUNTY, TEXAS

ORIGINAL PETITION

COMES NOW, GEORGIA STRONG, Plaintiff, and files this Original Petition, and by way of such Petition would respectfully show the Court:

I. LEVEL TWO CASE

The damages caused to Plaintiff in this matter exceed \$50,000. Accordingly, the Plaintiff requests that this case be designated as a level two case for discovery purposes pursuant to Texas Rules of Civil Procedure §190 *et. seq.*

II. PARTIES

... GEOGLA STRONG is an individual resident of Katy, Harris County, Texas with Social Security number XXX-XX-X894 and Texas Driver's License number XXXXXX638.

Based upon information and belief, Defendant, ADT SECURITY SERVICES, INC. F/K/A BRINKS HOME SECURITY is a Delaware corporation doing business in the State of Texas. Service of citation upon Defendant may be had by delivery to its registered agent, C T Corporation System, 350 N. St. Paul St., Ste. 2900, Dallas, TX 75201.

Based upon information and belief, Defendant, NCO FINANCIAL SYSTEMS, INC. is a Pennsylvania corporation doing business in the State of Texas. Service of citation upon Defendant may be had by delivery to its registered agent, C T Corporation System, 350 N. St. Paul St., Ste. 2900, Dallas, TX 75201.

III. JURISDICTION AND VENUE

This Court has subject matter jurisdiction over Plaintiff's causes of action for violations of the Fair Debt Collection Practices Act (FDCPA) 15 U.S.C. § 1692, venue is proper in Harris County, Texas.

IV. BACKGROUND FACTS

The case results from an alleged debt originally owed to Brinks Home Security with account number 110105699. Brinks Home Security was bought by ADT Services on or about May 12, 2010 and is now the owner of alleged debt. The Original balance of the debt was no more than \$216.99. The alleged debt was in default at the time Defendant ADT Services acquired it.

On or about January 6, 2011, Plaintiff received a letter from Defendant, NCO Financial Systems, Inc. (NCO) regarding the alleged debt owned by ADT Security Services, Inc. On or about March 31, 2011, Plaintiff's counsel sent a letter to Defendant, NCO advising them that Plaintiff had retained counsel and to cease and desist contacting Plaintiff and to send verification of the debt to Plaintiff's counsel. On or about June 18, 2011, Plaintiff received a letter from NCO regarding the alleged debt in violation of 15 U.S.C. §1692b(6) and 15 U.S.C. § 1692c(a)(2). On or about June 20, 2011, Plaintiff received a phone call from Defendant, NCO in violation of 15 U.S.C. §1692b(6) and 15 U.S.C. § 1692c(a)(2). On or about June 22, 2011, Plaintiff received a second phone call from NCO in violation of 15 U.S.C. §1692b(6) and 15 U.S.C. § 1692c(a)(2). On or about June 23, 2011, Plaintiff received a third phone call from NCO in violation of 15 U.S.C. §1692b(6) and 15 U.S.C. § 1692c(a)(2). On or about July 5, 2011, Plaintiff's counsel sent a second letter to Defendant, NCO, advising them that Plaintiff had retained counsel and to cease and desist contacting Plaintiff and to send verification of the debt to Plaintiff's counsel's office.

Defendant, NCO never responded and refused to send verification of debt when requested on two different occasions in violation of 15 U.S.C. § 1692g(a)(1-5).

Plaintiff complains of Defendant, ADT SECURITY SERVICES, INC. for using Third Party collectors known to violate Texas Debt Laws in violation of Texas Finance Code § 392.306.

Mrs. Strong was traumatized by these numerous letters and continues to suffer loss of appetite, insomnia, and anxiety. Mrs. Strong suffered and continues to suffer emotional distress due to this harassing conduct.

V. Causes of Actions

A. Plaintiff complains of Defendant, NCO for repeated, willful violations of the FDCPA. Said conduct was a direct, proximate, and producing cause of damage to Plaintiff.

B. Defendant, NCO was negligent in their failure to supervise their collectors. Said conduct was a direct, proximate, and producing cause of damage to Plaintiff.

C. Defendant, ADT SECURITY SERVICES, INC. for using Third Party collectors known to violate Texas Debt Laws in violation of Texas Finance Code § 392.306. Said conduct was a direct, proximate, and producing cause of damage to Plaintiff.

VI. Damages

Plaintiff seeks statutory and actual damages in the amount of \$7,000.00, mental anguish in the amount of \$10,000.00, punitive damages in the amount of \$50,000.00, reasonable and necessary attorneys fees, costs of court, legal expenses, and pre- and post-judgment interest at the annual rate of 5%.

CONCLUSION

WHEREFORE, PREMISES CONSIDERED, GEORGIA STRONG respectfully requests

that, upon trial of this matter, she be awarded the economic damages produced and proximately caused by Defendants' violations of the FDCPA, Texas Debt Collection Act, punitive damages, reasonable and necessary attorney's fees, legal expenses, cost of Court and pre- and post-judgment interest. Plaintiff further prays for any other and further relief, at law and in equity, to which she may show herself to be justly entitled.

Respectfully submitted,
THE TREVIÑO LAW FIRM

By: 

Lu Ann Treviño
Texas Bar No. 24008180
13201 Northwest Freeway, Suite 800
Houston, Texas 77040
(713) 341-7550 - Telephone
(888) 896-2102 - Facsimile

ATTORNEY FOR PLAINTIFF



I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office
this July 28, 2011

Certified Document Number: 49467686 Total Pages: 4

Chris Daniel, DISTRICT CLERK
HARRIS COUNTY, TEXAS

In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail support@hcdistrictclerk.com

Filed 11 September 12 A10:51
Chris Daniel - District Clerk
Harris County
ED101J016490720
By: adillani a. solis

CAUSE NO. 2011-44762

GEORGIA STRONG,	§	IN THE DISTRICT COURT
	§	
Plaintiff,	§	
	§	
v.	§	
	§	281 JUDICIAL DISTRICT
ADT SECURITY SERVICES, INC.	§	
F/K/A BRINKS HOME SECURITY AND	§	
NCO FINANCIAL SYSTEMS, INC.,	§	
	§	
Defendants.	§	HARRIS COUNTY, TEXAS

**DEFENDANTS', ADT SECURITY SERVICES, INC. F/K/A BRINKS HOME SECURITY
AND NCO FINANCIAL SYSTEMS, INC.'S, ORIGINAL ANSWER**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, ADT Security Services, Inc. f/k/a Brinks Home Security and NCO Financial Systems, Inc. ("Defendants"), Defendants in the above-styled and numbered cause, and file this Original Answer to Plaintiff's Original Petition on file herein and for such Answer respectfully show the Court as follows:

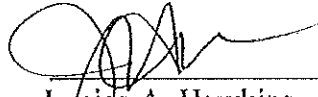
**I.
GENERAL DENIAL**

Pursuant to Rule 92 of the Texas Rules of Civil Procedure, Defendants generally deny each and every allegation contained in Plaintiff's Original Petition and demand strict proof thereof by a preponderance of the evidence.

**II.
PRAYER**

WHEREFORE, PREMISES CONSIDERED, Defendants pray Plaintiff takes nothing by her claims and for all other relief to which Defendants may be justly entitled.

Respectfully submitted,



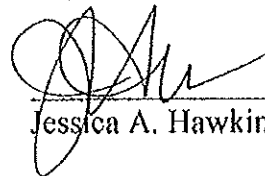
Jessica A. Hawkins
State Bar No. 24068029
Sessions, Fishman, Nathan, & Israel, LLC
900 Jackson Street, Suite 440
Dallas, Texas 75202
Telephone: (214) 741-3001
Facsimile: (214) 741-3055

Attorney for Defendants,
ADT Security Services, Inc. f/k/a
Brinks Home Security and
NCO Financial Systems, Inc.

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing has been sent to the following via facsimile on this 12th day of September, 2011:

Lu Ann Trevino
Trevino Law Firm
13201 Northwest Freeway, Suite 800
Houston, Texas 77040
Telephone: (713) 341-7550
Facsimile: (888) 896-2102



Jessica A. Hawkins